

From: **Personal Matters / Ex. 6**
Sent: 4/23/2019 2:13:33 AM
To: ENRD, PUBCOMMENT-EES (ENRD) [PENRD3@ENRD.USDOJ.GOV]
Subject: RE: United States v. Global Partners LP, et al., D.J. Ref. No. 90-5-2-1-11428

Personal Matters / Ex. 6

April 22, 2019

RE: United States v. Global Partners LP, et al., D.J. Ref. No. 90-5-2-1-11428

Dear Assistant Attorney General:

According to the minutes of the South Portland City Council meeting, in March 2019, the United States Environmental Protection Agency (EPA) filed a complaint against Global Partners LLC alleging violations of the Clean Air Act and Maine state implementation plan at the company's South Portland facility, including:

- Failure to obtain an emissions license that addresses Volatile Organic Compounds (VOCs) from heated asphalt and No. 6 oil storage tanks
- Exceeding total VOC emission limits under an existing license from the Maine Department of Environmental Protection (DEP)
- Failing to take appropriate VOC emission control measures
- Failing to apply for an operating permit under Title V of the Clean Air Act

At the same time, the EPA filed a consent decree related to Global's actions which includes the following:

- A \$40,000 fine
- Limit of four heated bulk storage tanks containing either No. 6 oil or asphalt at the facility:
 - No more than two of which shall contain No. 6 oil at any one time
 - Heat shall not be applied to these four tanks for at least 120 non-heating days
- Limit throughputs to 50 million gallons/year of No. 6 oil and 75 million gallons/year of asphalt
- Installation of mist eliminators on vents at each heated bulk storage tank and operating these eliminators at all times while the tanks and are heated and/or receiving product
- \$150,000 be put into a fund to replace or retrofit wood-burning appliances in Cumberland County (completed within two years)
- Apply for new license with DEP incorporating these, or more stringent, changes

As a South Portland resident and home owner for 34 years, I find the alleged Global violations, the lack of immediate EPA notification to the City of South Portland, and the omission of South Portland's voice in

determining the terms of the consent decree to be egregiously lacking in accountability and protection of our rights to clean air. Our residents' health and our right to clean air have been horribly disregarded and dismissed. I find it criminally negligent that our protective watchdog (EPA) failed to notify the City of South Portland of the alleged violations over five years ago. I would also like to suggest that Maine increase Maine Department of Environmental Protection funding so that businesses that need oversight are held accountable and are not allowed to pay a small fine which has been factored into their company expenses as "the cost of doing business" while the common citizen pays dearly losing their rights to good health and quality of life.

The industry needs to hear that air quality violations are taken seriously. If Global is a 'good community partner', then they will see that making the following adjustments to their production processes will address the issues of their violations and will protect the future health and wellbeing of their South Portland neighbors.

1. Installment of a closed system for transfer of product
2. Installment of mist eliminators
3. And most importantly, cost sharing for the installment of an ongoing air monitoring system to be put in place within six months and monitored by a City of South Portland environmental compliance officer.

I formally add my name to the voice of South Portland citizens who have been most affected and injured in this situation. I expect that an extension to the 30 day comment period is only fair and that South Portland's voice as the injured party be included in the consent decree with Global Partners so as to have teeth that make the citizens' right to clean air more important than profit.

Thank you for your thoughtful consideration to this serious matter.

Sincerely,

Emily Hebert